



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding WALL FINANCIAL CORP.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes: MND, MNR, MNSD, FF

Introduction

This hearing dealt with an application by the landlord, pursuant to the *Residential Tenancy Act*, for a monetary order for damages and for the recovery of the filing fee. The landlord also applied to retain the security deposit in partial satisfaction of his claim.

At the start of the hearing, the landlord informed me that the tenant had moved out on August 15, 2017 without providing the landlord with a forwarding address. The landlord also stated that a representative of the corporate landlord had made this application prior to obtaining a forwarding address and was therefore unable to serve the tenant with a copy of this application and evidence package.

The purpose of serving a notice of hearing to the respondent is to notify the person being served of matters relating to arbitration and to provide the person with an opportunity for rebuttal. In this case, the landlord stated that he had not served the tenant with a notice of hearing package. Since the tenant was not provided with an opportunity for rebuttal, I dismiss the landlord's application with leave to reapply.

Conclusion

The landlord's application is dismissed with leave to reapply.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Residential Tenancy Act*.

Dated: July 25, 2018

Residential Tenancy Branch